

5645. Adulteration of pork and beans. U. S. * * * v. 911 Cases * * * of Pork and Beans. Consent decree of condemnation and forfeiture. Good portion released on bond. Unfit portion ordered destroyed. (F. & D. No. 7388. I. S. No. 10091-L S. No. C-511.)

On or about May 8, 1916, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on or about December 28, 1916, an amended libel, praying the seizure and condemnation of 911 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at Salina, Kans., alleging that the article had been shipped on or about March 22, 1916, by the Norfolk Packing Co., Norfolk, Nebr., and transported from the State of Nebraska into the State of Kansas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Summer Girl Brand Pork and Beans with Tomato Sauce * * *."

Adulteration of the article was alleged in the amended libel for the reason that it contained a large quantity of decomposed, diseased, and rotten beans and by reason thereof consisted in part of a filthy and decomposed vegetable substance.

On January 23, 1917, the said Norfolk Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that upon the payment of the costs of the proceedings and the execution of a bond in the sum \$1,000, in conformity with section 10 of the act, the product should be released to said claimant to be sorted under the supervision of the Bureau of Chemistry of this department, the good portion, if any, to be released to said claimant, and the unfit portion to be destroyed.

C. F. MARVIN, *Acting Secretary of Agriculture.*